

U.S. Department of Labor
Occupational Safety and Health Administration

ADVISORY COMMITTEE CHARTER

Advisory Committee on Construction Safety and Health (ACCSH)

OFFICIAL DESIGNATION:

Advisory Committee on Construction Safety and Health (ACCSH)

AUTHORITY:

Contract Work Hours and Safety Standards Act (40 U.S.C. 3701 *et seq.*), commonly known as the Construction Safety Act (CSA); Occupational Safety and Health Act of 1970 (OSH Act) (29 U.S.C. 651 *et seq.*); 29 CFR 1911 and 1912; and Secretary of Labor's Order 5-2007 (72 FR 31160). ACCSH acts in accordance with the Federal Advisory Committee Act (FACA), (5 U.S.C., App.2) and its implementing regulations (41 CFR 102-3).

OBJECTIVES AND SCOPE OF ACTIVITY:

ACCSH advises the Secretary of Labor (the Secretary) and the Assistant Secretary for Occupational Safety and Health (the Assistant Secretary) in the formulation of construction safety and health standards, and related policy under the CSA and the OSH Act. ACCSH also advises the Secretary and Assistant Secretary on safety and health provisions arising under CSA.

DESCRIPTION OF COMMITTEE DUTIES:

ACCSH's duties are only advisory or consultative. The Committee advises the Secretary and the Assistant Secretary in the development of construction standards and policy matters arising under the CSA and OSH Act, and on policy matters arising in the administration of safety and health provisions of the CSA. The Assistant Secretary shall consult with ACCSH whenever OSHA proposes any occupational safety or health standards affecting construction activities.

AGENCY AND OFFICIAL TO WHOM THE COMMITTEE REPORTS:

ACCSH reports to the Secretary through the Assistant Secretary and the Occupational Safety and Health Administration (OSHA).

AGENCY PROVIDING THE NECESSARY SUPPORT TO THE COMMITTEE:

OSHA provides all necessary support for ACCSH.

ESTIMATED ANNUAL OPERATING COSTS IN DOLLARS AND STAFF YEARS:

The estimated annual operating costs and staff time for the committee in relation to the estimates in the expired charter are as follows:

\$50,000	Travel and Per Diem: Non-Federal Members, a \$10,000 increase
\$3,000	Travel and Per Diem for Federal member, a \$1,000 increase
\$200,000	Federal Staff Support, a \$75,000 increase
\$7,000	Federal Staff Travel, unchanged
\$12,000	Other (including copying, transcription services, audiovisual equipment rental and services, and space rental), a \$6,000 increase
<u>\$272,000</u>	TOTAL

The estimated staff time is 1.5 year, an increase of half a staff year.

DESIGNATED FEDERAL OFFICER:

The Director of the Directorate of Construction will serve as the Designated Federal Officer (DFO). The DFO will approve or call all meetings of ACCSH, its subcommittees or work groups, will approve all meeting agendas, and will attend all committee and subcommittee or work group meetings. In addition, the DFO will adjourn any meeting if he or she determines adjournment to be in the public interest.

ESTIMATED NUMBER AND FREQUENCY OF MEETINGS:

ACCSH generally meets three to four times a year.

DURATION:

Pursuant to the CSA, ACCSH is a continuing non-discretionary advisory committee of indefinite duration.

TERMINATION:

This Charter will expire two years from the date of filing.

MEMBERSHIP AND DESIGNATION:

ACCSH is composed of 15 representative members appointed by the Secretary, one of whom is appointed by the Secretary to serve as chair. The composition of the ACCSH is as follows:

- Five members who are qualified by experience and affiliation to represent the viewpoint of employers involved;
- Five members, similarly qualified, to represent the viewpoint of the employees involved;
- Two representatives of State Plan States' safety and health agencies;
- Two members who are qualified by knowledge and experience to represent the general public and to make a useful contribution to work of the committee; and

- One member who is the designee of the Secretary of Health and Human Services; (29 CFR 1912.3).

Members generally serve two-year staggered terms except for the designee of the Secretary of Health and Human Services who has no fixed term. Members may be appointed to serve successive terms and be removed at any time and replaced. If otherwise qualified, members may continue to serve after their term expires, until a successor is appointed.

Members receive no compensation for serving on the committee, but are allowed travel expenses including per diem in lieu of subsistence as authorized by section 5703 of title 5 of the United States Code for persons in the Government service employed intermittently. They are not deemed to be employees of the United States by virtue of their membership on ACCSH.

COMMITTEE MEMBERSHIP:

Except as otherwise required by law, Committee membership will be consistent with the applicable FACA regulations, as follows: a) Membership on the ACCSH Committee will be fairly balanced; b) Members will come from a cross-section of those directly affected, interested, and qualified as appropriate to the nature and functions of the ACCSH Committee; c) the composition of the Committee will therefore depend upon several factors, including i) the Committee's mission; ii) the geographic, ethnic, social, economic, or scientific impact of the advisory committee's recommendations; iii) the types of specific perspectives required; iv) the need to obtain divergent points of view on the issues before the Committee, such as, for example, those of consumers, technical experts, the public at-large, academia, business, or other sectors; and v) the relevance of State, local or tribal governments to the development of the Committee's recommendations.

To the extent permitted by FACA and other laws, ACCSH Committee membership should also be consistent with achieving the greatest impact, scope and credibility among diverse stakeholders. The diversity in such membership includes, but is not limited to, race, gender, disability, sexual orientation and gender identity.

SUBCOMMITTEES:

The DFO, in consultation with the ACCSH Chair, has authority to create subcommittees or work groups. Subcommittees or work groups must report to ACCSH and are not authorized to provide advice or work products directly to OSHA.

RECORDKEEPING:

All ACCSH meetings are transcribed and detailed minutes are prepared. ACCSH Subcommittee or work group+ meetings also have detailed minutes prepared, which are reported to the subsequent ACCSH meeting. Records of ACCSH and its subcommittees or work groups shall be handled in accordance with General Records Schedule 26, Item 2, "Records Created by Advisory Commissions, Committees, Councils, Boards and Other Groups Established under the Federal Advisory Committee Act (FACA)." These records shall be available for public inspection and copying subject to the Freedom of Information Act, 5 U.S.C. 552 and will be available through the Federal eRulemaking Portal, www.regulations.gov.

DATE OF FILING:

This Charter is filed on the date shown below.



HILDA L. SOLIS
Secretary of Labor

OCT 29 2010

Date